

INITIAL STATEMENT OF REASONS
MINIMUM STANDARDS FOR LOCAL DETENTION FACILITIES
Title 15-Crime Prevention and Corrections
Division 1, Chapter 1, Subchapter 4

1004. Severability. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1006. Definitions. This regulation defines terms used throughout these regulations. To provide clarity and consistency to these regulations, five have been amended, and one has been deleted.

Due to legislative change, the term “Board of Corrections” has been replaced with “Corrections Standards Authority” in the following definitions:

- Alternate Means Of Compliance
- Board
- Pilot Project

Proposed revisions modify the definition for “CONTACT” to ensure consistency with related state and federal statutory definitions and requirements for contact; there is no operational change to the regulation.

Proposed revisions add the term “lockup” to the definition for “LAW ENFORCEMENT FACILITY.” The term lockup had been inadvertently omitted from previous regulations; this revision is consistent with relevant state statute and regulations.

The definition for “INMATE WORKER” has been deleted; other regulatory reference to this term has been deleted in relevant Title 15 regulations and the term is no longer germane.

1007. Pilot Projects. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1008. Alternate Means of Compliance. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1012. Emergency Suspensions of Standards or Requirements. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1013. Criminal History Information. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1018. Appeal. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1027. Number of Personnel. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1028. Fire and Life Safety Staff. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1029. Policy and Procedures Manual. Proposed revision would extend the review process from annually to every two years and adds the term “comprehensively reviewed.” Most detention facilities currently conduct ongoing reviews of policy and procedures; this revision would require that a comprehensive review, and revision if necessary, would occur at least once every two years to ensure consistency with current statute and regulation revisions.

1032. Fire Suppression Preplanning. Proposed revisions bring the regulation in line with current Health and Safety Code requirements for biennial fire prevention inspections. There is no operational impact change.

1040. Population Accounting. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1044. Incident Reports. Proposed revisions add the words “or his/her designee” to regulation to allow the facility manager to designate a subordinate to accept the written record; the facility manager may be in a higher-level position and may not be the individual who actually reviews the report within 24 hours. There is no operational change.

1045. Public Information Plan. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

Revisions also update reference to Title 15, Section 1066; the title of this regulation was revised.

1046. Death in Custody. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1055. Use of Safety Cell. Proposed revisions update the reference to Safety Cells in Title 24; the code sections were recently revised by the Building Standards Commission.

1056. Use of Sobering Cell. Proposed revisions update the reference to Sobering Cells in Title 24; the code sections were recently revised by the Building Standards Commission.

1059. DNA Collection, Use of Force. Proposed revisions delete section 1059(b)(2) as there are no future reporting requirements by the CSA to the legislature. Additional revisions update the numbering in the regulation for consistency.

1063. Correspondence. Proposed revisions add a provision for the facility manager to designate staff to determine when a valid security reason would require mail to be read.

Revisions also delete reference to inmates confidentially corresponding with certain public officials. This change does not change the intent of the regulation, since mail should not be read in any situation unless a valid security reason exists; however, the confidentiality of such correspondence cannot be guaranteed in the event that there is a valid security reason and also cannot be guaranteed once the correspondence leaves the facility.

Revisions also replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1066. Books, Newspapers, Periodicals, and Writings. Proposed revisions include adding “Writings” to the title and require facility administrators to include writings in the types of reading material that an inmate may receive. Revisions add a new section 1 which captures the intent of the original section 2, which excludes reading material if there is a legitimate penological interest.

Language is added to the new section 2 (originally section 1) to include that material may be excluded if it contains information on unlawful activities. There is no operational impact; these changes clarify the intent of the regulation, and the options available to facility administrators.

1082. Forms of Discipline. This regulation describes the limitations that may be placed on disciplinary actions. Proposed revisions correct a grammatical error.

1101. Restrictions on Contact with Adult Prisoners. Current regulations restrict contact between detained minors and adults and specify situations in which they can be in the same room, area or corridor. Proposed revisions incorporate language that is consistent with the Juvenile Justice and Delinquency Prevention Act and clarify that contact must be brief or accidental and further require that side-by-side supervision must occur to assure that communication does not occur.

The revisions also delete the option of routinely using inmate workers in areas where minors are present; this is in direct conflict with both federal and state statute.

1105. Recreation Programs. Proposed revisions delete the requirements for recreation for minors under 16 since statute prohibits minors under 16 to be housed in an adult jail. The language relative to minors who are 16 or older was deleted, since there is no need for specific reference to age once the minors who are under 16 were deleted from the regulation. There is no anticipated operational impact.

1144. Contact Between Minors and Adult Prisoners. Current regulations restrict contact between detained minors and adults and specify situations in which they can be in the same room, area or corridor. Proposed revisions incorporate language that is

consistent with the Juvenile Justice and Delinquency Prevention Act and clarify that contact must be brief or accidental and further require that side-by-side supervision must occur to assure that communication does not occur.

The revisions also delete the option of routinely using inmate workers in areas where minors are present; this is in direct conflict with both federal and state statute.

1151. Intoxicated and Substance Abusing Minors in a Lockup. Proposed revisions would require facility administrators to have policies and procedures to ensure that a medical clearance is obtained for minors who are intoxicated, by any substance, to the extent that they are unable to care for themselves. This revision deletes the specific requirements for medical clearances of minors in certain situations and allows the facility administrator to determine which situations warrant medical clearance for their jurisdiction. This revision is consistent with actual practice in the field.

Proposed revisions also specify that minors in secure detention who display outward signs of intoxication, but may have not required medical clearance according to policy and procedure, receive adequate safety checks.

Additionally, proposed revisions clarify that minors in secure detention must have documented safety checks **no less than** every 15 minutes pending release or a resolution of the intoxicated state and that minors in non-secure detention must remain under constant observation, as required by Section 1150.

1161. Conditions of Detention. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1209. Mental Health Services and Transfer to Treatment Facility. If the county Board of Supervisors authorizes the administration of involuntary medication inside their local adult detention facility, it will require some changes in facility operations to ensure the safety and security of inmates being involuntarily treated. The proposed revisions outline the requirements that the health authority and facility manager must follow when implementing Penal Code Section 1369.1. The changes will only affect those counties who elect to implement the statute's requirements.

1217. Psychotropic Medications. If the county elects to provide on-site emergency psychotropic medications, proposed revisions will require both policy regarding a physician responding to the facility to conduct a clinical evaluation or conduct a clinical evaluation on the telephone and an agreement with a physician to provide this service. Previous regulation did not require a clinical evaluation; this revision will ensure that involuntary medication is administered only after a physician has evaluated the situation.

1230. Food Handlers. Proposed revisions update relevant code and section reference changes only; there is no operational impact.

1241. Minimum Diet. Proposed revisions include updating reference to the most current Dietary Guidelines for Americans.

Proposed revisions also update the amount of retinol equivalents in section (c) from 2000 to 200. 200 RE is the correct amount; however, it appeared as 2000 in the published version of Title 15.

Additional revisions include deleting the specific examples for bread and cereal products; this section was erroneously omitted from the previous regulation revisions and remained in the 2005 regulations. There is no operational change.

1243. Food Service Plan. Proposed revisions update relevant code and section reference changes only; there is no operational impact.

1245. Kitchen Facilities, Sanitation, and Food Storage. Proposed revisions update relevant code and section reference changes only; there is no operational impact.

1247. Disciplinary Isolation Diet. Proposed revisions replace Board of Corrections with Corrections Standards Authority; there is no operational impact.

1262. Clothing Exchange. Proposed revisions update the title of the new California Retail Food Code; there is no operational change.

1272. Mattresses. The proposed language will clarify that mattresses meet applicable standards at the time of purchase, rather than citing a specific standard that may be out of date. There is no operational impact.